

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

Defendant Rey Martinez's motion to suppress evidence is noticed for hearing on March 21, 2006. The court invites the parties to submit supplemental briefs addressing the following questions:

the case at bar); see also Wyoming v Houghton, 526 US 295 (1999); United States v Ross, 456 US 798 (1982);

(2) For purposes of question 1:

(a) Were the envelopes on Martinez's person at the time they were seized by law enforcement?;

(b) Were the envelopes in the vehicle at the time they were seized by law enforcement?;

(3) At the time Martinez was arrested, did the San Francisco Police Department have a policy of opening sealed mail envelopes as part of its inventory procedures? See, e g, Illinois v Lafayette, 462 US 640 (1983);

(4) Is there any evidence in addition to the exhibit attached to the Fazio declaration, Doc #58, to substantiate Martinez's assertion that the warrant was initially executed at the San Francisco International Airport?

Briefing shall not exceed twelve pages and shall be submitted on or before March 17, 2006, at 5:00 pm.

SO ORDERED.



VAUGHN R WALKER

United States District Chief Judge